

Los Angeles Times

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September 26, 2014

FOIA Officer
Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

FOIA REQUEST

Fee benefit requested

Fee waiver requested

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of Correspondence between the U.S. EPA Region 9 office, EPA headquarters and any staff, representatives, agents of or contractors for the following parties regarding the Exide Technologies facility at 2700 South Indiana Street, Vernon, California:

- California Department of Toxic Substances Control
- South Coast Air Quality Management District
- Exide Technologies

This should include the period between Jan. 1, 2012 and the most recently available date at the time this request is processed.

The scope of this request includes correspondence between EPA officials in EPA headquarters, Region 9 offices in San Francisco or Los Angeles and staff, representatives, agents of or contractors for the above named parties. That

scope should be understood to include memos, e-mails, letters, text messages and any other correspondence.

“Staff, representatives, agents of or contractors” should be understood to mean any employees, public relations representatives, attorneys, lobbyists, advisers or other persons employed by, speaking on behalf of or in the interest of any of the above named parties.

I would like to receive the information in electronic format.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$25. However, please notify me prior to your incurring any expenses in excess of that amount.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the agency's communications regarding the Exide Technologies facility in Vernon, California that is of current interest to the public because the facility has been a focus of environmental regulators, elected officials and surrounding communities.

This information is being sought on behalf of Los Angeles Times for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. I am requesting that that EPA grant a fee waiver for this request because it is in the public's interest to understand the agency's communications with the company and the state environmental regulators overseeing it.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than by mail, if you have questions regarding this request.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,

Tony Barboza